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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA LIBERI, et al,

Plaintiffs,

vs.

Case No.: 09-cv-01898-ECR

ORLY TAITZ, et al,

Defendants.

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS' RESPONSE TO
THIS HONORABLE COURT'S RULES TO SHOW CAUSE [DOC. #106 and 107] and
PLAINTIFFS' REPLY TO DEFENDANTS RESPONSE TO THIS HONORABLE
COURT'S RULES TO SHOW CAUSE [DOC. #110]**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Please Take Notice that Plaintiffs, Lisa Liberi [hereinafter "Liberi"]; Philip J. Berg, Esquire [hereinafter "Berg"], the Law Offices of Philip J. Berg; Evelyn Adams a/k/a Momma E [hereinafter "Adams"]; Lisa Ostella [hereinafter "Ostella"]; and Go Excel Global by and through their undersigned counsel, Philip J. Berg, Esquire, hereby submits this Request for Judicial Notice in Support of their Response to this Honorable Court's Rules to Show Cause, [Docket No. 106 and 107] as to why this Case should not be dismissed for lack of personal jurisdiction over the Defendants; as to why the Case should not be severed; and as to why the Case should not be transferred to California or Texas.

Plaintiffs' request this Court to take Judicial Notice, pursuant to Federal Rules of Evidence 201, of the following document which is a Court Order issued by Judge David O. Carter, Judge in the United States District Court for the Central District of California, Southern Division filed in Pacer, the Federal Docketing System, on September 30, 2009 in the Case of *Barnett, et al v. Obama, et al*, Case No. 8:09-cv-00082 as Document number seventy-seven [77]. Judge Carter's Order is directing attorney Orly Taitz [Defendant in this case] to remove Dossier #6, which contains Plaintiff Lisa Liberi's Social Security number, date of birth and other personal identifying information filed in the ECF filing system by Ms. Taitz on September 21, 2009 by October 2, 2009.

In this case, Defendant, Orly Taitz, et al filing of Dossier #6 was addressed in this Court on June 25, 2009 and Judge Robreno warned Defendant Taitz not to republish Liberi's Social Security number. Despite this, Defendant Taitz has continued republication of Liberi's Social Security number, date of birth, mother's maiden name, place of birth, and other personal private identifying information.

Judge Carter's Order is attached hereto as **EXHIBIT "A"** and Plaintiffs hereby request this Honorable Court to take Judicial Notice of Judge Carter's Order.

"A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. §201(b); *Easy Sportswear, Inc. v. Am. Econ. Ins. Co.*, 2008 U.S. Dist. LEXIS 51402 (D. Pa. 2008); *Nationwide Life Ins. Co. v. Commonwealth Land Title Ins. Com.*, 2005 U.S. Dist. LEXIS 24479 (E.D. Pa. 2005); *In re NAHC, Inc. Sec Litig.*, 306 F.3d 1315 (3d Cir. 2002) "[a] court shall take judicial notice if requested by a party and supplied with the necessary

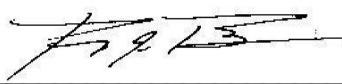
information.” Fed. R. Evid. 201(d) (emphasis added) *Easy Sportswear, Inc.*, 2008 U.S. Dist. LEXIS 514002 (D. Pa 2008) at *2.

It is firmly established that Requests for Judicial Notice are proper “only to the extent that the noticed facts are relevant to an issue” that is before the Court. Judge Carter’s Order that Plaintiffs are requesting Judicial Notice is of the type that Judicial Notice has been taken of by the Third Circuit. This includes documents integral to or explicitly relied upon in the Plaintiffs’ Complaint and the reasons Plaintiffs’ were forced to bring suit against the Defendants. In addition, the attached document, **EXHIBIT “A”** that Plaintiffs are requesting Judicial Notice of is a Court Order issued by a United States District Court Federal Judge directly related to this action and is relevant to the issues herein. See *In re Ravivent Techs., Inc. Sec. Litig.*, 2004 U.S. Dist. LEXIS 132355 (D. Pa. 2004)

For the above aforementioned reasons, Plaintiffs’ respectfully request this Honorable Court to take Judicial Notice of Judge David O. Carter’s Order dated September 30, 2009 attached hereto as **EXHIBIT “A”**.

Respectfully submitted,

Dated: October 6, 2009


Philip J. Berg, Esquire
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Attorney for the Plaintiffs’

EXHIBIT “A”

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No. SACV 09-0082 DOC (ANx)

Date: September 30, 2009

Title: Captain Pamela Barnett, et al. v. Barack H. Obama, et al.

DOCKET ENTRY

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: _____ Deputy Clerk: _____

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): ORDER SEALING DOCUMENT REQUIRING PLAINTIFFS TO
REFILE OPPOSITION TO MOTION TO DISMISS TO COMPLY
WITH FED. R. CIV. P. 5.2

On September 28, 2009, the Court received a letter from attorney Philip J. Berg requesting that Exhibit 7 (Dossier #6) of Plaintiffs' Opposition to the Motion to Dismiss be sealed because it does not comply with FED. R. Civ. P. 5.2. The letter states that Exhibit 7 contains personal identifying information of Lisa Liberi and her husband.

While the Court generally does not entertain letters from third parties, in this case it will do so because of its general policy of protecting person's personal identifying information in court filings.

FED. R. CIV. P. 5.2 requires that individual's social-security numbers, taxpayer-identification number, birth date, a minor's name, a minor's birth date, or a financial-account number be redacted. In addition, Local Rule 79-5.4 requires parties to redact social security numbers; names of

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Initials of Deputy Clerk kh_
Page 1 of 2

minor children; dates of birth; financial account numbers; and home addresses.

Plaintiffs' filing contains, among other identifiers, Lisa Liberi's birth date and partially redacted social security number that is redacted in a way that does not comport with the Local Rule instructions. Because Plaintiffs have included the first five numbers of several persons' social security numbers, and the Court's rule directs that only the last four numbers should be included, the Court is concerned that requiring the last four numbers would allow a person who had seen the improperly redacted original exhibit to deduce the entire social security number. As such, all social security numbers shall be *fully* redacted and no numbers shall be shown.

Court orders Plaintiffs' Opposition to Motion to Dismiss Case (Doc #69) sealed and removed from the public docket. Plaintiffs shall refile a redacted copy of the *entire* Opposition to Motion to Dismiss, including all exhibits, that comports with FED. R. CIV. P. 5.2, Local Rule 79-5.4, and the above instructions regarding full redaction of all social security numbers by Friday, October 2 at 5 p.m.

Plaintiff s do not need to refile a courtesy copy for the Court.

The Clerk shall serve this minute order on all parties to the action.

LAW OFFICES OF
PHILIP J. BERG

PHILIP J. BERG
CATHERINE R. BARONE
BARBARA MAY

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FAX (610) 834-7659

NORMAN B. BERG, Paralegal [Deceased]

E-Mail: philjberg@gmail.com

September 22, 2009

Honorable David O. Carter
Judge, United States District Court
Central District of California, Southern Division
411 West Fourth Street
Courtroom 9D
Santa Ana, CA 92701-4516

Ex Parte

By Fax () could not find.....Total = 3 Pages

Re: Barnett, et al v. Obama, et al, Case No. 8:09-cv-00082

Dear Judge Carter:

I am writing to you **Ex Parte** requesting Your Honor to “SEAL” a portion of the recent filing of Orly Taitz, Esquire, and specifically Ms. Taitz’s Exhibit Seven (7), which is **Dossier #6** and your Court Docket as Document Number 69 for several reasons:

1. Violation of Fed. R. Civ. P. 5.2;
2. Redacting requirement pursuant to US District Court, Central District of CA ECF filing system; and
3. “Safe at Home” program.

Yesterday, Ms. Taitz filed her “**Dossier #6**” in her case before Your Honor which is pending against President Obama. Ms. Taitz filed numerous documents that do not pertain at all to the issues of jurisdiction. **Dossier #6** bears mostly on slander and libel about Ms. Liberi, Ms. Ostella and Ms. Adams and contains all the personal identifying information of Ms. Liberi and her husband as well as hearsay statements regarding President Obama.

Honorable David O. Carter
 Judge, United States District Court
 Central District of California, Southern Division
 Page Two

September 22, 2009

I represent Lisa Liberi, Lisa Ostella, Evelyn Adams, myself and other Plaintiffs in a current lawsuit filed against Orly Taitz and other Defendants. The case is pending in the United States District Court, Eastern District of Pennsylvania, Case No. 09-cv-01898-ECR.

The reason I had to file suit against Ms. Taitz is due to her threatening to take me down and to do so she was going to destroy my paralegal, Lisa Liberi and any parties associated with us, e.g. Ms. Ostella and Ms. Adams.

I believe Ms. Taitz filed the document in the case before Your Honor, **Dossier #6**, the very document that is the subject of the Pennsylvania lawsuit, to further publish Ms. Liberi's personal confidential private information and to use your Court to further perpetrate her illegal behaviors which have endangered my clients.

It should also be noted the party convicted of the crimes against Ms. Liberi resides within Orange County.

Furthermore, Ms. Taitz has published on her website a copy of the ECF filing.

For the above reasons, I am asking Your Honor to please SEAL Ms. Taitz **Exhibit Seven (7)**, which is **Dossier #6**, filed with your Court on September 21, 2009 in support of Ms. Taitz Opposition to Defendants Obama, et al Motion to Dismiss, entered on your Court Docket as Document Number 69.

Regarding my lawsuit against Ms. Taitz, she published all over the internet and by mass emailing to over one hundred and forty thousand [140,000] individuals and businesses, including internationally, by Ms. Taitz own admissions, Ms. Liberi's full Social Security number, mother's maiden name, date of birth, where she resides, where she was born; private information about Ms. Liberi's husband, including name, address, part of his Social Security number, and other personal confidential information.

Ms. Taitz has falsely accused Ms. Liberi and Ms. Ostella of crimes which they have not committed, accused Ms. Liberi of crimes that she has never been arrested for or convicted of; Ms. Taitz has filed false police reports against Ms. Liberi and Ms. Ostella with different law enforcement agencies; called for people in the area Ms. Taitz believes Ms. Liberi resides and the other Plaintiffs reside; Ms. Taitz has called for the "purging" of President Obama and his "clique" which all Plaintiffs in the Pennsylvania case have been accused by Ms. Taitz of being President Obama supporters and part of his "clique".

What makes this so serious is the fact Ms. Liberi and her family were placed in the "Safe at Home" program, given a confidential address and her Social Security number was changed by the

Honorable David O. Carter
Judge, United States District Court
Central District of California, Southern Division
Page Three

September 22, 2009

Social Security Administration in Baltimore, Maryland as a result of Ms. Liberi and her child being victims of serious domestic violence and stalking type crimes.

Ms. Taitz or Mr. Sankey did not have any type of authorization to pull Ms. Liberi's, or any of the other Plaintiffs which I represent, personal private information, especially Ms. Liberi's full Social Security number, mother's maiden name, date of birth, residency, where Ms. Liberi was born, or any other personal private information, nor did Mr. Sankey or Ms. Taitz have any permissible purpose. As a result, Mr. Sankey and Ms. Taitz have placed Ms. Liberi and her family in harms way once again and have undone all the work and safety features put in place by the State of California and Ms. Liberi.

A lot of this information, including Ms. Liberi's old and new Social Security number, where she resides, husband's information (what she has correct that is) and ironically, the only full Social Security number in her document is Ms. Liberi's new Social Security number, was all placed in a document Ms. Taitz labeled "**Dossier #6**".

Therefore, I hope that you will **SEAL Dossier #6, Court Document #69 and Order all parties who have copies to refrain from disseminating Dossier #6.**

Please do not hesitate contacting me should you require anything additional.

Thank you.

Respectfully,



Philip J. Berg

PJB:jb

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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

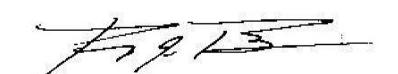
I, Philip J. Berg, Esquire, hereby certify that a copy of Plaintiffs' Request for Judicial Notice was served this 6th day of October 2009 electronically upon the following:

Orly Taitz
Defend our Freedoms Foundation, Inc. (unrepresented)
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Mission Viejo, CA 92691
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Sankey Investigations, Inc.
2470 Stearns Street #162
Simi Valley, CA 93063
Email: nsankey@thesankeyfirm.com

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Castroville, Texas 78009
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PHILIP J. BERG, ESQUIRE